



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 20 2007

Allen Todd c/o
Thomas Carnahan, Treasurer
Russ Carnahan for Congress
7370 Manchester Road
Suite 20
St. Louis, Missouri 83143

RE: MUR 5493

Dear Mr. Todd:

This is in reference to the complaint you filed with the Federal Election Commission on July 27, 2004, concerning alleged violations of the Federal Election Campaign Act of 1971, as amended ("Act"). Based on that complaint, on August 16, 2005, the Commission found that there was reason to believe that Joan Barry in Congress and Kirk Benjamin, in his official capacity as treasurer ("Barry Committee"), violated 2 U.S.C. § 441d, a provision of Act and instituted an investigation of this matter. However, after considering the circumstances of this matter, the Commission determined to take no further action as to the Barry in Congress as it pertains to its violation of 2 U.S.C. § 441d and found no reason to believe that the Barry Committee and Friends of Jeff Smith and Steve Smith, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f) and closed the file on December 13, 2007.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003)

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

28044191068

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan
General Counsel

A handwritten signature in black ink, appearing to read "Sid Rocke". The signature is fluid and cursive, with the first name "Sid" and last name "Rocke" clearly distinguishable.

BY: Sidney Rocke
Assistant General Counsel

28044191069